W.P. No. 548 (M/B) of 2003

Hon'ble P.C. Verma, A.C.J.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Pankaj Miglani, learned counsel for the petitioner and learned Standing Counsel.

By means of this writ petition, the petitioner has challenged the vires of the rules and the notification dated 10.11.1980 and 28.3.1992(annexure 3 to 5 to the writ petition).

It is settled law that rules framed under the subordinate legislation, can not be challenged unless the same are shown to be excessive in delegation. Learned counsel for the petitioner could not point out that the challenged rule suffer from any excessive delegation as the certain powers have been conferred under the rules, which is not supported by any provision of the Act.

We do not find any good ground to entertain the writ petition. The same is dismissed accordingly.

(P.C. Verma, J.) (M.M. Ghildiyal, J.)

30.06.2003

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